

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ADRIAN JACKSON,

ORDER

Plaintiff,

19-cv-004-bbc

v.

NATHAN TAPIO, M. JENSEN and M. BLOCK,

Defendants.

Pro se plaintiff Adrian Jackson, who is incarcerated at the Waupun Correctional Institution, is proceeding on Eighth Amendment and state negligence law claims that defendants Nathan Tapiio, M. Jensen and M. Block denied him access to his medications and did not offer him any other treatment for his asthma between February 23, 2018 and June 2018. Before the court is defendants' motion to dismiss this case for lack of venue, or in the alternative, to transfer it to the Eastern District of Wisconsin on the ground that all of the parties reside in Waupun, Wisconsin and plaintiff's allegations are based on events that took place at the Waupun Correctional Institution, which is located in the Eastern District of Wisconsin and thus within the jurisdiction of that district court. Dkt. #13 (citing 28 U.S.C. § 1406(a) ("The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought.")). Plaintiff has filed a response

opposing dismissal and transfer, arguing that the Western District of Wisconsin is a more convenient forum and resolves cases more quickly. Dkt. #16.

After reviewing the parties submissions, I find that venue is proper only in the Eastern District of Wisconsin and transfer to that court is in the interest of justice in this case. 28 U.S.C. § 1404(a) (district court may transfer civil action to any other district where it might have been brought); 28 U.S.C. § 1391(b) (venue proper in district where substantial part of events giving rise to lawsuit occurred). Accordingly, I am granting defendants' motion and transferring this case to the Eastern District of Wisconsin.

ORDER

IT IS ORDERED that the motion to transfer this case to the Eastern District of Wisconsin filed by defendants Nathan Tapio, M. Jensen and M. Block, dkt. #13, is GRANTED. This case is TRANSFERRED to the United States District Court for the Eastern District of Wisconsin.

Entered this 17th day of July, 2019.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge